


COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
DIVISION OF WATER QUALITY PROGRAMS  
ELLEN GILINSKY, Ph.D., DIRECTOR

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Subject: Guidance Memo No. 06-2013  
Implementation of the Reissued VPDES General Permit for Car Wash Facilities (VAG75)

To: Regional Directors

From: Ellen Gilinsky, Ph.D., Director 

Date: October 25, 2006

Copies: Rick Weeks, James Golden, Deputy Regional Directors, Water Permit Managers, Kyle Winter, Bill Purcell

**Summary:**

This guidance replaces Guidance Memo No. 02-2017, the implementation guidance for issuance of VAG75. 9 VAC 25-194-10 et seq. has been amended to reissue the general VPDES permit for car wash facilities for another five-year period. The effective date of the reissued general permit is October 16, 2007.

**Electronic Copy:**

An electronic copy of this guidance in PDF format is available for staff internally on DEQNET, and for the general public on DEQ's website at: <http://www.deq.virginia.gov>.

**Contact information:**

Please contact George Cosby, Office of Water Permit Programs at (804) 698-4067 or [gecosby@deq.virginia.gov](mailto:gecosby@deq.virginia.gov) if you have any questions regarding this implementation guidance

**Disclaimer:**

**This document is provided as guidance and, as such, sets forth standard operating procedures for the agency. However, it does not mandate any particular method nor does it prohibit any particular method for the analysis of data, establishment of a wasteload allocation, or establishment of a permit limit. If alternative proposals are made, such proposals should be reviewed and accepted or denied based on their technical adequacy and compliance with appropriate laws and regulations.**

### Introduction

On March 15, 2006, the State Water Control Board amended the General VPDES Permit Regulation (9 VAC 25-194-10 et seq.), allowing reissuance of the associated general permit for another five-year period. This guidance replaces Guidance Memo No. 02-2017. A copy of the amended regulation, permit fact sheet, registration statement and general permit are attached to this guidance for use by regional permit staff. These documents, attachments and guidance are also available on the agency website and on DEQNET. The effective date of the reissued general permit is October 16, 2007.

### Permit Coverage

Facilities that are currently covered by General Permit VAG75 must resubmit a registration statement in order to continue coverage under the reissued permit. The registration statement forms should be sent out as soon as possible to the existing permit holders for registration. According to the regulation, registrations for facilities seeking continuation of existing coverage should be received prior to April 1, 2007, and no later than the expiration date of the current general permit in order to avoid a lapse in coverage. As with the current general permit, the general permit should also be used to provide VPDES coverage to any qualified dischargers whose individual VPDES permits have expired or are expiring, as well as to any new facilities that qualify. Coverage under the reissued general permit should not begin until the October 16, 2007 effective date of the new regulation.

The basic procedures for implementation have not changed. Permit writers should send out the car wash facilities' general permit registration statement instead of standard application forms for facilities that might qualify for coverage, and the registration statement should be considered complete by the permit writer before coverage under the general permit is granted to the facility. Review of registration statements should proceed as with the previous issuance of this general permit.

### **The following information may be helpful in reviewing registration statements to determine if a discharge is eligible for the general permit:**

The type of systems to be covered shall include wastewater generated from the manual, automatic, or self service washing of vehicles including cars, vans, and trucks designated by SIC 7542. The general permit also regulates auto dealer preparation and detailing, and fleet vehicle washing. This permit does not cover facilities that wash or steam clean engines, buses, horse/cattle trailers, tankers or tractor-trailers, nor does it cover mobile car washes or charity carwashes.

As with individual permits, owners of facilities at several locations are required to obtain a general permit for each site.

In cases where facilities contract out vehicle fleet washing, the general permit should be issued to the facility owner. It is the facility owner's responsibility to ensure the contractor's accountability for operating the treatment system in compliance with the permit.

In Item 2, Facility Information, note that coverage should be denied if the discharge is into waters where other Board regulations or policies prohibit such discharges, and coverage may be denied if the discharge is into endangered or threatened species waters.

**Note that this general permit does not authorize discharges of sewage. If sewage is being discharged, an individual VPDES permit is required.**

If the applicant previously held an individual permit, antibacksliding must be considered prior to granting the coverage under this general permit. Backsliding should be evaluated on a case-by-case basis in accordance with the VPDES Permit Regulation.

OWPP has already determined that new or increased discharges from car washes covered by the general permit will not result in significant effects to the receiving waters. Permit writers do not have to conduct a case-by-case antidegradation review for any new or increased discharges.

For the purpose of screening for qualification, facilities that qualify for coverage need to meet the following conditions:

1. The facility has submitted a complete registration statement (including fee).
2. The facility has the correct SIC code (7542).
3. The facility has a point source discharge.
4. Discharge is not to prohibited waters.
5. There are no sewage discharges.
6. The facility has not been required to obtain an individual permit as may be required in the VPDES Permit Regulation.
7. The facility complies with the limits and special conditions of the permit. The treatment system described in the registration statement should be evaluated to determine if the discharge will meet the permit limits.

#### Preparation of Permit Package

Once the permit writer reviews the registration statement and determines that the facility qualifies for coverage, the general permit pages can be prepared. The cover page (printed on agency letterhead), Part I effluent limits pages, special conditions and boilerplate should be assembled with the general permit number for the facility entered in the indicated areas on the pages. The pages of Part II are already numbered. The outfall numbers must also be added at the end of the first sentence on each effluent limitations page. No other changes to the language of the general permit are authorized.

Permit numbers will be assigned sequentially by CEDS when the registration statement data is saved. All permit numbers will begin with the same five characters: VAG75. The remaining numbers are assigned by CEDS. Remember that the permit number has to be typed in on the permit pages (including the cover page) before the permit is mailed to the owner.

The general permit requires semi-annual or annual monitoring and reporting. DMRs are necessary for reporting and compliance tracking. All outfalls described in the registration statement should be listed on the effluent limits page and on the DMR, so that the permit accurately describes which outfalls require sampling. For discharges of wastewater with a monthly average flow rate less than or equal to 5,000 gallons per day, use the Part I.A page that requires a frequency of once per year. For discharges of wastewater with a monthly average flow rate greater than 5,000 gallons per day, use Part I.A. page requiring a frequency of once per six months. The DMRs should be prepared to include the applicable limitations and monitoring requirements which reflect the average flow rate of the wastewater.

Once the DMRs are ready, use the appropriate transmittal letter to transmit the permit and DMRs to the permittee and keep a copy for the regional file. It is not necessary to copy OWPP or EPA on individual coverage under a general permit. **Note that the transmittal letter for coverage under a general permit does not contain the two paragraphs referencing the owner's right to appeal the decision to cover them under the permit.** The transmittal should indicate the regional office to which DMRs are to be sent. DMRs are due on the tenth of January and July for semi-annual monitoring, and on the tenth of July for annual monitoring.

Tracking of compliance with the limits and other requirements of the general permit should be done according to the Compliance Auditing System already established for individual VPDES permits. Reporting requirements for noncompliance, unusual or extraordinary discharges, etc. are the same as for an individual permit.

#### Permit Inspection and Tracking

These facilities are subject to the inspection strategy in the industrial small category; i.e., facilities should be inspected at least once every five years. The inspectors should check for overflows, bypasses, sediment filled settling basins and traps and other indications of a failed system. The inspector should also determine whether the facility has increased in size (additional bays/areas) from what was represented on the registration statement.

Tracking of coverage under this general permit will be in CEDS. Hard copy files should include a copy of the registration statement, general permit and DMRs sent to the owner, transmittal letter and any inspection reports at a minimum, since these files are subject to auditing. It is important that the database is kept updated with the list of permittees and contact information, their permit numbers, and which effluent limits pages were assigned to the facility.

#### Termination of Coverage

If an owner requests termination of coverage under the general permit, the regional office may terminate coverage under regional letterhead.

#### Change In Ownership

If there is a request for a change of ownership, the new owner assumes coverage under the general permit with the permit number unchanged. It is not necessary for the new owner to submit a new registration statement unless changes to the facility are proposed. Part II of the permit allows for automatic transfer of ownership if the 30 day prior notice and the required written agreement between the new and old owners are provided. The other change of ownership requirements and procedures from the VPDES Permit Regulation and VPDES Permit Manual that are common to all VPDES permits apply here as well. Any change of status should be noted in CEDS.

#### Renewal of Coverage

The permittee must submit a new registration statement within 180 days of the expiration of this general permit if continued coverage is desired.

#### Permit Fee

The fee for coverage under this general permit is \$600.00. Fees submitted for this permit should be handled according to the same procedures that are followed for other permit fees. Refer to the fee regulation.

#### Attachments:

1. General Permit Regulation
2. General Permit Fact Sheet
3. General Permit pages
4. Registration Statement and Instructions
5. Example Transmittal Letters

## **1. GENERAL PERMIT REGULATION**

COMMONWEALTH OF VIRGINIA  
STATE WATER CONTROL BOARD

9 VAC 25-194-10 et seq. GENERAL VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM (VPDES) PERMITS FOR CAR WASH FACILITIES

[Adopted: March 15, 2006 - Effective: October 16, 2007]

**9 VAC 25-194-10. Definitions**

The words and terms used in this regulation shall have the meanings defined in the State Water Control Law, and 9 VAC 25-31-10 et seq. (VPDES Permit Regulation) unless the context clearly indicates otherwise, except that for the purposes of this regulation:

"Car Wash" means any manual, automatic or self service facility where the washing of vehicles including cars, vans and pick-up trucks is conducted as designated by SIC 7542. It includes auto dealer preparation and detailing, and fleet vehicle washing. It does not mean facilities that wash or steam clean engines, buses, horse/cattle trailers, tankers or tractor-trailers.

**9 VAC 25-194-20. Purpose**

This general permit regulation governs the discharge of wastewater from car wash facilities to surface waters.

**9 VAC 25-194-30. Delegation of Authority**

The Director, or an authorized representative, may perform any act of the Board provided under this regulation, except as limited by Section 62.1-44.14 of the Code of Virginia.

**9 VAC 25-194-40. Effective Date of the Permit**

This general permit will become effective on October 16, 2007. This general permit will expire five years after the effective date. This general permit is effective for any covered owner upon compliance with all the provisions of 9 VAC 25-194-50 and the receipt of this general permit.

**9 VAC 25-194-50. Authorization to Discharge**

- A. Any owner governed by this general permit is hereby authorized to discharge to surface waters of the Commonwealth of Virginia provided that the owner files and receives acceptance by the Board of the Registration Statement of 9 VAC 25-194-60, files the required permit fee, complies with the effluent limitations and other requirements of 9 VAC 25-194-70, and provided that:
  - 1. Individual Permit  
The owner has not been required to obtain an individual permit according to 9 VAC 25-31-170.B.3.
  - 2. Prohibited Discharge Locations  
The owner shall not be authorized by this general permit to discharge to state waters specifically named in other Board regulations or policies which prohibit such discharges.
- B. Receipt of this general permit does not relieve any owner of the responsibility to comply with any other federal, state or local statute, ordinance or regulation.

**9 VAC 25-194-60. Registration Statement**

The owner shall file a complete VPDES general permit registration statement for car wash facilities. Any owner of an existing car wash which is covered by this general permit, who's discharge increases above a monthly average flow rate of 5,000 gallons per day, shall file an amended registration statement at least 30 days prior to commencing operation of the new process. Any owner proposing a new discharge shall file the registration statement at least 30 days prior to the date planned for commencing operation of the new discharge. Any owner of an existing car wash covered by an individual VPDES permit who is proposing to be covered by this general permit shall file the registration statement at least 180 days prior to the expiration date of the individual VPDES permit. Any owner of an existing car wash not currently covered by a VPDES permit who is proposing to be covered by this general permit shall file the registration statement. The required registration statement shall contain the following information:

- A. Facility name and address, owner name and mailing address and telephone number;
- B. Facility location;
- C. Facility operator name, address and telephone number if different than owner;
- D. Does the facility discharge to surface waters? Name of receiving stream if yes;
- E. Does the facility have a current VPDES Permit? Permit Number if yes;
- F. A USGS topographic map showing the facility location;
- G. Provide a brief description of the type of car wash and type of vehicles washed;
- H. Number of car wash bays;
- I. Highest average monthly flow rate; reported as gallons per day
- J. Facility line drawing;
- K. Treatment information;
- L. Information on use of chemicals at the facility;
- M. The following certification:  
I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations.

The registration statement shall be signed in accordance with 9 VAC 25-31-110.

**9 VAC 25-194-70. General Permit**

Any owner whose registration statement is accepted by the Board will receive the following permit and shall comply with the requirements therein and be subject to all requirements of 9 VAC 25-31-10 et seq.

General Permit No.: VAG75

Effective Date: October 16, 2007

Expiration Date: October 15, 2012

**GENERAL PERMIT FOR CAR WASH FACILITIES**

**AUTHORIZATION TO DISCHARGE UNDER THE  
VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM  
AND  
THE VIRGINIA STATE WATER CONTROL LAW**

In compliance with the provisions of the Clean Water Act, as amended and pursuant to the State Water Control Law and regulations adopted pursuant thereto, owners of car wash facilities are authorized to discharge to surface waters within the boundaries of the Commonwealth of Virginia, except those specifically named in Board Regulations or Policies which prohibit such discharges.

The authorized discharge shall be in accordance with this cover page, Part I - Effluent Limitations and Monitoring Requirements, and Part II - Conditions Applicable to All VPDES Permits, as set forth herein.



## PART I

**A. Effluent Limitations and Monitoring Requirements**

- During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge wastewater originating from car wash facilities **that discharge a monthly average flow rate less than or equal to 5,000 gallons per day** from outfall(s):

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	Minimum	Maximum	Frequency	Sample Type
Flow (GPD)	NA	NL	1/Year	Estimate
pH (S.U.)	6.0*	9.0*	1/Year	Grab
TSS (mg/l)	NA	60	1/Year	5G/8HC
Oil and Grease (mg/l)	NA	15	1/Year	Grab

NL - No Limitation, monitoring requirement only

NA - Not applicable

\* Where the Water Quality Standards (9 VAC 25-260-00 et seq.) establish alternate standards for pH in waters receiving the discharge, those standards shall be the maximum and minimum effluent limitations.

5G/8HC - Eight Hour Composite - Consisting of five grab samples collected at hourly intervals until the discharge ceases, or until a minimum of five grab samples have been collected.

Samples shall be collected by June 30 of each year, and reported on the facility's Discharge Monitoring Report (DMR). DMRs shall be submitted by the 10th of July of each year.

- There shall be no discharge of floating solids or visible foam in other than trace amounts.

## PART I

**A. Effluent Limitations and Monitoring Requirements**

- During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge wastewater originating from car wash facilities **that discharge a monthly average flow rate greater than 5,000 gallons per day** from outfall(s):

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	Minimum	Maximum	Frequency	Sample Type
Flow (GPD)	NA	NL	1/6 Months	Estimate
pH (S.U.)	6.0*	9.0*	1/6 Months	Grab
TSS (mg/l)	NA	60	1/6 Months	5G/8HC
Oil and Grease (mg/l)	NA	15	1/6 Months	Grab

NL - No Limitation, monitoring requirement only

NA - Not applicable

\* Where the Water Quality Standards (9 VAC 25-260-00 et seq.) establish alternate standards for pH in waters receiving the discharge, those standards shall be the maximum and minimum effluent limitations.

5G/8HC - Eight Hour Composite - Consisting of five grab samples collected at hourly intervals until the discharge ceases, or until a minimum of five grab samples have been collected.

Samples shall be collected by December 31 and June 30 of each year, and reported on the facility's Discharge Monitoring Report (DMR). DMRs shall be submitted by January 10<sup>th</sup> and July 10<sup>th</sup> of each year.

- There shall be no discharge of floating solids or visible foam in other than trace amounts.

**B. Special Conditions**

1. The permittee shall perform inspections of the effluent and maintenance of the wastewater treatment facilities at least once per week and document activities on the Operational Log. This operational log shall be made available for review by the Department personnel upon request.
2. No sewage shall be discharged from a point source to surface waters from this facility except under the provisions of another VPDES permit specifically issued for that purpose.
3. There shall be no chemicals added to the water or waste which may be discharged other than those listed on the owner's accepted registration statement, unless prior approval of the chemical(s) is granted by the Board.
4. Wastewater should be reused or recycled whenever feasible.
5. The permittee shall comply with the following solids management plan:
  - a. There shall be no discharge of floating solids or visible foam in other than trace amounts.
  - b. All settling basins shall be cleaned frequently in order to achieve effective treatment.
  - c. All solids resulting from the car wash facility covered under this general permit, shall be handled, stored and disposed of so as to prevent a discharge to state waters of such solids.
6. Washing of vehicles or containers bearing residue of animal manure or toxic chemicals (fertilizers, organic chemicals, etc.) into the wastewater treatment system is prohibited. If the facility is a self-service operation, the permittee shall post this prohibition on a sign prominently located and of sufficient size to be easily read by all patrons.
7. Any permittee discharging into a municipal separate storm sewer shall notify the owner of the municipal separate storm sewer system of the existence of the discharge within 30 days of coverage under the general permit and provide the following information: the name of the facility; a contact person and phone number; and the location of the discharge.
8. The permittee shall notify the Department as soon as they know or have reason to believe:
  - a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:
    - (1) One hundred micrograms per liter;
    - (2) Two hundred micrograms per liter for acrolein and acrylonitrile; five hundred micrograms per liter for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter for antimony;
    - (3) Five times the maximum concentration value reported for that pollutant in the permit application; or
    - (4) The level established by the Board.

- b. That any activity has occurred or will occur which would result in any discharge, on a no routine or infrequent basis, of a toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:
  - (1) Five hundred micrograms per liter;
  - (2) One milligram per liter for antimony;
  - (3) Ten times the maximum concentration value reported for that pollutant in the permit application; or
  - (4) The level established by the Board.

PART II  
CONDITIONS APPLICABLE TO ALL VPDES PERMITS

A. Monitoring.

1. Samples and measurements taken as required by this permit shall be representative of the monitored activity.
2. Monitoring shall be conducted according to procedures approved under Title 40 Code of Federal Regulations Part 136 or alternative methods approved by the U.S. Environmental Protection Agency, unless other procedures have been specified in this permit.
3. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals that will insure accuracy of measurements.

B. Records.

1. Records of monitoring information shall include:
  - a. The date, exact place, and time of sampling or measurements;
  - b. The individual(s) who performed the sampling or measurements;
  - c. The date(s) and time(s) analyses were performed;
  - d. The individual(s) who performed the analyses;
  - e. The analytical techniques or methods used; and
  - f. The results of such analyses.
2. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years, the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the registration statement for this permit, for a period of at least 3 years from the date of the sample, measurement, report or request for coverage. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the permittee, or as requested by the Board.

C. Reporting Monitoring Results.

1. The permittee shall submit the results of the monitoring required by this permit not later than the 10th day of the month after monitoring takes place, unless another reporting schedule is specified elsewhere in this permit. Monitoring results shall be submitted to the Department's regional office.

2. Monitoring results shall be reported on a Discharge Monitoring Report (DMR) or on forms provided, approved or specified by the Department.
3. If the permittee monitors any pollutant specifically addressed by this permit more frequently than required by this permit using test procedures approved under Title 40 of the Code of Federal Regulations Part 136 or using other test procedures approved by the U.S. Environmental Protection Agency or using procedures specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or reporting form specified by the Department.
4. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.

D. Duty to Provide Information.

The permittee shall furnish to the Department, within a reasonable time, any information which the Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The Board may require the permittee to furnish, upon request, such plans, specifications, and other pertinent information as may be necessary to determine the effect of the wastes from his discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of the State Water Control Law. The permittee shall also furnish to the Department upon request, copies of records required to be kept by this permit.

E. Compliance Schedule Reports.

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

F. Unauthorized Discharges.

Except in compliance with this permit, or another permit issued by the Board, it shall be unlawful for any person to:

1. Discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances; or
2. Otherwise alter the physical, chemical or biological properties of such state waters and make them detrimental to the public health, or to animal or aquatic life, or to the use of such waters for domestic or industrial consumption, or for recreation, or for other uses.

G. Reports of Unauthorized Discharges.

Any permittee who discharges or causes or allows a discharge of sewage, industrial waste, other wastes or any noxious or deleterious substance into or upon state waters in violation of Part II F; or who discharges or causes or allows a discharge that may reasonably be expected to enter state waters in violation of Part II F, shall notify the Department of the discharge immediately upon discovery of the discharge, but in no case later than 24 hours after said discovery. A written report of the unauthorized

discharge shall be submitted to the Department, within five days of discovery of the discharge. The written report shall contain:

1. A description of the nature and location of the discharge;
2. The cause of the discharge;
3. The date on which the discharge occurred;
4. The length of time that the discharge continued;
5. The volume of the discharge;
6. If the discharge is continuing, how long it is expected to continue;
7. If the discharge is continuing, what the expected total volume of the discharge will be; and
8. Any steps planned or taken to reduce, eliminate and prevent a recurrence of the present discharge or any future discharges not authorized by this permit.

Discharges reportable to the Department under the immediate reporting requirements of other regulations are exempted from this requirement.

H. Reports of Unusual or Extraordinary Discharges.

If any unusual or extraordinary discharge including a bypass or upset should occur from a treatment works and the discharge enters or could be expected to enter state waters, the permittee shall promptly notify, in no case later than 24 hours, the Department by telephone after the discovery of the discharge. This notification shall provide all available details of the incident, including any adverse affects on aquatic life and the known number of fish killed. The permittee shall reduce the report to writing and shall submit it to the Department within five days of discovery of the discharge in accordance with Part II I 2. Unusual and extraordinary discharges include but are not limited to any discharge resulting from:

1. Unusual spillage of materials resulting directly or indirectly from processing operations;
2. Breakdown of processing or accessory equipment;
3. Failure or taking out of service some or all of the treatment works; and
4. Flooding or other acts of nature.

I. Reports of Noncompliance

The permittee shall report any noncompliance which may adversely affect state waters or may endanger public health.

1. An oral report shall be provided within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information which shall be reported within 24 hours under this paragraph:
  - a. Any unanticipated bypass; and
  - b. Any upset which causes a discharge to surface waters.
2. A written report shall be submitted within 5 days and shall contain:
  - a. A description of the noncompliance and its cause;
  - b. The period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and

- c. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

The Board may waive the written report on a case-by-case basis for reports of noncompliance under Part II I if the oral report has been received within 24 hours and no adverse impact on state waters has been reported.

3. The permittee shall report all instances of noncompliance not reported under Parts II I 1 or 2, in writing, at the time the next monitoring reports are submitted. The reports shall contain the information listed in Part II I 2.

**NOTE: The immediate (within 24 hours) reports required in Parts II G, H and I may be made to the Department's Regional Office. Reports may be made by telephone or by fax. For reports outside normal working hours, leave a message and this shall fulfill the immediate reporting requirement. For emergencies, the Virginia Department of Emergency Services maintains a 24 hour telephone service at 1-800-468-8892.**

J. Notice of Planned Changes.

1. The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:
  - a. The permittee plans alteration or addition to any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced:
    - (1) After promulgation of standards of performance under Section 306 of Clean Water Act which are applicable to such source; or
    - (2) After proposal of standards of performance in accordance with Section 306 of Clean Water Act which are applicable to such source, but only if the standards are promulgated in accordance with Section 306 within 120 days of their proposal;
  - b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations nor to notification requirements specified elsewhere in this permit; or
  - c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
2. The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

K. Signatory Requirements.

1. Registration Statement. All registration statements shall be signed as follows:
  - a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities,

provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

- b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
  - c. For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a public agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.
2. Reports, etc. All reports required by permits, and other information requested by the Board shall be signed by a person described in Part II K 1, or by a duly authorized representative of that person. A person is a duly authorized representative only if:
- a. The authorization is made in writing by a person described in Part II K 1;
  - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company (A duly authorized representative may thus be either a named individual or any individual occupying a named position), and
  - c. The written authorization is submitted to the Department.
3. Changes to authorization. If an authorization under Part II K 2 is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part II K 2 shall be submitted to the Department prior to or together with any reports, or information to be signed by an authorized representative.
4. Certification. Any person signing a document under Parts II K 1 or 2 shall make the following certification:
- "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

L. Duty to Comply.



The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the State Water Control Law and the Clean Water Act, except that noncompliance with certain provisions of this permit may constitute a violation of the State Water Control Law but not the Clean Water Act. Permit noncompliance is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the Clean Water Act within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if this permit has not yet been modified to incorporate the requirement.

M. Duty to Reapply.

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee shall submit a new registration statement at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the Board. The Board shall not grant permission for registration statements to be submitted later than the expiration date of the existing permit.

N. Effect of a Permit.

This permit does not convey any property rights in either real or personal property or any exclusive privileges, nor does it authorize any injury to private property or invasion of personal rights, or any infringement of federal, state or local law or regulations.

O. State Law.

Nothing in this permit shall be construed to preclude the institution of any legal action under, or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any other state law or regulation or under authority preserved by Section 510 of the Clean Water Act. Except as provided in permit conditions on "bypassing" (Part II U), and "upset" (Part II V) nothing in this permit shall be construed to relieve the permittee from civil and criminal penalties for noncompliance.

P. Oil and Hazardous Substance Liability.

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Sections 62.1-44.34:14 through 62.1-44.34:23 of the State Water Control Law.

Q. Proper Operation and Maintenance.

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes effective plant performance, adequate funding, adequate staffing, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

R. Disposal of solids or sludge.

Solids, sludge or other pollutants removed in the course of treatment or management of pollutants shall be disposed of in a manner so as to prevent any pollutant from such materials from entering state waters.

S. Duty to Mitigate.

The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

T. Need to Halt or Reduce Activity not a Defense.

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

U. Bypass.

1. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Parts II U 2 and U 3.

2. Notice

- a. Anticipated bypass. If the permittee knows in advance of the need for a bypass, prior notice shall be submitted, if possible at least ten days before the date of the bypass.
- b. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Part II I.

3. Prohibition of bypass.

- a. Bypass is prohibited, and the Board may take enforcement action against a permittee for bypass, unless:
  - (1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
  - (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
  - (3) The permittee submitted notices as required under Part II U 2.
- b. The Board may approve an anticipated bypass, after considering its adverse effects, if the Board determines that it will meet the three conditions listed above in Part II U 3 a.

V. Upset.

1. An upset constitutes an affirmative defense to an action brought for noncompliance with technology based permit effluent limitations if the requirements of Part II V 2 are met. A

determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is not a final administrative action subject to judicial review.

2. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
  - a. An upset occurred and that the permittee can identify the cause(s) of the upset;
  - b. The permitted facility was at the time being properly operated;
  - c. The permittee submitted notice of the upset as required in Part II I; and
  - d. The permittee complied with any remedial measures required under Part II S.
3. In any enforcement preceding the permittee seeking to establish the occurrence of an upset has the burden of proof.

W. Inspection and Entry.

The permittee shall allow the Director, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act and the State Water Control Law, any substances or parameters at any location.

For purposes of this section, the time for inspection shall be deemed reasonable during regular business hours, and whenever the facility is discharging. Nothing contained herein shall make an inspection unreasonable during an emergency.

X. Permit Actions.

Permits may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Y. Transfer of permits.

1. Permits are not transferable to any person except after notice to the Department. Except as provided in Part II Y 2, a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued, or a minor modification made, to identify the new permittee and incorporate such other requirements as may be necessary under the State Water Control Law and the Clean Water Act.

2. As an alternative to transfers under Part II Y 1, this permit may be automatically transferred to a new permittee if:
  - a. The current permittee notifies the Department at least 30 days in advance of the proposed transfer of the title to the facility or property;
  - b. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and
  - c. The Board does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in Part II Y 2 b.

Z. Severability.

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

## **2. GENERAL PERMIT FACT SHEET**

## FACT SHEET

### REISSUANCE OF A GENERAL VPDES PERMIT TO DISCHARGE TO STATE WATERS AND STATE CERTIFICATION UNDER THE STATE WATER CONTROL LAW

The Virginia State Water Control Board has under consideration the reissuance of a VPDES general permit for point source discharges from facilities discharging car wash wastewater to the surface waters of the State of Virginia. This general permit will replace VAG75 which expires October 15, 2007. Owners covered under the expiring general permit, who wish to continue to discharge under a general permit, must register for coverage under the new general permit.

Permit Number: VAG75

Name of Permittee: Any owner of a qualifying car wash facility with point source discharges to the surface waters of the Commonwealth of Virginia.

Facility Location: Commonwealth of Virginia

Receiving Waters: Surface waters within the boundaries of the Commonwealth of Virginia, except those specifically named in Board regulations or policies, which prohibit such discharges.

The proposed permit action is tentative. On the basis of preliminary review and application of lawful standards and regulations, the State Water Control Board proposes to reissue the general VPDES permit subject to certain conditions. The Board has determined that this category of discharges is appropriately controlled under a general permit. The category of discharges to be included involves facilities with the same or similar types of operations and the facilities discharge the same or similar types of wastes. The draft general permit requires that all covered facilities meet standardized effluent limitations and monitoring requirements.

Persons may comment in writing or by mail to Department Environment Quality on the proposed permit action until October 20, 2004. Comments should be addressed to the contact person listed below. Comments shall include the name, address, and telephone number of the writer, and shall contain a complete, concise statement of the factual basis for comments. Only those comments received within this period will be considered by the Board.

All pertinent information is on file and may be inspected, and arrangements made for copying by contacting George Cosby at:

Virginia Department of Environmental Quality  
P.O. Box 10009  
Richmond, Virginia 23240  
(804) 698-4067  
[gecosby@deq.virginia.gov](mailto:gecosby@deq.virginia.gov)

A public hearing will be held on this draft permit. Notice of the public hearing will be published in newspapers and in the Virginia Register. Following the public hearing comment period, the Board will make determinations regarding the proposed permit action.

## FACT SHEET

### General Permit for Car Wash Facilities (VAG75)

#### Page 2

#### Activities Covered By This General Permit:

These general permits will cover point source discharges of car wash wastewater to surface waters of the Commonwealth of Virginia by direct point sources. The type of systems to be covered shall include wastewater generated from the manual, automatic, or self-service washing of vehicles including cars, vans, and trucks designated by SIC 7542. Also, it includes auto dealer preparation and detailing, and fleet vehicle washing. This permit does not cover facilities that wash or steam clean engines, buses, horse/cattle trailers, tankers or tractor-trailers. Also, it does not include mobile car washes or charity carwashes.

There are four main types of these car washes: manual, tunnel, rollover, and wand. A manual type facility consists of manual washing, rinsing and/or waxing the vehicle by personnel. In a tunnel type facility the vehicle is driven or pulled by a conveyor through the length of a building where separate washing, rinsing, and waxing operations are performed. In a rollover type facility the vehicle remains stationary while the equipment passes over the vehicle using high pressure water streams and/or brushes to clean and wax it. The wand type facility uses high-pressure streams of water to clean the vehicle.

#### Proposed Limitations and Monitoring Requirements:

Effluent limitations for car wash facilities are as follows:

<u>Parameter</u>	<u>Limitation</u>	<u>Monitoring</u>
Flow	Monitoring	Estimate
pH	9.0 max., 6.0 min.*	Grab
Total Suspended Solids	60 mg/l max.	5G/8HC**
Oil and Grease	15 mg/l max.	Grab

\* Where the Water Quality Standards (9 VAC 25-260-00 et seq.) establish alternate standards for pH, those standards shall be the maximum and minimum effluent limitations.

\*\* Eight Hour Composite - Consisting of five grab samples collected at hourly intervals until the discharge ceases, or until a minimum of five grab samples have been collected.

Two monitoring scenarios are proposed. Smaller facilities with average flow rates of less than or equal to 5,000 gallons per day are required to monitor once per year. All other facilities are required to monitor once per six months.

The permittee shall maintain records of cleaning and maintenance of all treatment units. These records shall be made available to DEQ personnel upon request.

#### Basis For Proposed Effluent Limitations And Monitoring Requirements

The Environmental Protection Agency has reviewed this category of discharger and concluded, in their Guidance Document for Effluent Discharges From the Auto and Other Laundries Point Source Category, dated February 1982, that the amounts and toxicity of pollutants in the discharges from these facilities did not justify national regulations.

## FACT SHEET

### General Permit for Car Wash Facilities (VAG75)

#### Page 3

In developing the proposed effluent limitations and special conditions the following information was reviewed. The permitting strategies, effluent limitations, treatment technologies and special conditions that are being employed by the Department of Environmental Quality and the surrounding states for individual and general VPDES permits issued to car wash facilities and the Environmental Protection Agency's Guidance Document for Effluent Discharges from the Auto and Other Laundries Point Source Category.

Determined by the nature of the business, the parameters to be limited in this general VPDES permit are pH, total suspended solids, and oil/grease. The pH limitation is based upon Virginia's stream water quality standards (9 VAC 25-260-50 et seq. and 9 VAC 25-260-380 et seq.). The total suspended solids and oil/grease parameters are based on best engineering judgment for the type of treatment employed by these systems. Complying with these parameters is an indication that the treatment system is being operated and maintained properly and is producing an acceptable quality effluent.

The basis for the reduced frequency of analysis for small dischargers with average flow rates of less than or equal to 5,000 gallons per day is that their potential to affect water quality is minimal based on the small quantity of discharge. These are generally facilities that are located in rural areas and are not served by central sewerage facilities.

The treatment systems commonly utilized at these facilities consist of sediment traps in the bays followed by a larger sedimentation basin baffled to contain any floating material and/or sand filtration. These treatment systems produce an acceptable quality effluent and operate well when maintained properly. The permit requires the owner to inspect the treatment system and the quality of the effluent at least weekly and to maintain a log of the treatment maintenance.

#### Proposed Special Conditions

1. The permit requires inspections of the effluent and maintenance of the wastewater treatment facilities at least once per week and documentation of the maintenance on an Operational Log.

9 VAC 25-31-10 et seq., and 40 CFR 122.41(e) require proper operation and maintenance of the permitted facility.

2. No sewage shall be discharged to surface waters from this facility under this permit.

The effluent limitations do not address pollutants typical of treated sewage, no sewage discharge to surface waters are permitted under the general permit.

3. The permit prohibits adding chemicals to the water or waste which may be discharged other than those listed on the owner's accepted registration statement, unless prior approval of the chemical(s) is granted by the Department of Environmental Quality

This special condition assures protection of water quality and beneficial uses of the waters receiving the discharge.



## FACT SHEET

### General Permit for Car Wash Facilities

#### Page 4

4. The permit encourages reuse or recycle of wastewater whenever feasible.

This language is included in keeping with DEQ's pollution prevention philosophy.

5. The permit establishes a solids management plan that includes:
  - a. A prohibition on the discharge of floating solids or visible foam in other than trace amounts,
  - b. A requirement to clean settling basins frequently in order to achieve effective treatment.
  - c. A requirement that all solids shall be handled stored and disposed of so as to prevent a discharge to state waters.

This management plan will prohibit the discharge of solids into State waters unless authorized by permit and require the use of best management practices where applicable to control or abate the discharge of pollutants.

6. Prohibition on washing of vessels that contain residue of toxic chemicals (fertilizers, organic or inorganic chemicals, etc.). If the facility is a self-service operation, the permittee is required to post a sign to this effect.

This prohibition will reduce the risk of toxics pollution and eliminate the need for a Toxic Management Program 9 VAC 25-31-10 et seq.

7. If the discharge is into a municipal separate storm sewer the permittee is required to notify the owner of the municipal separate storm sewer system of the existence of the discharge within 30 days of coverage under the general permit and provide the following information: the name of the facility; a contact person and phone number; and the location of the discharge.
8. The permittee shall notify the Department as soon as they know or have reason to believe:
  - a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:
    - (1) One hundred micrograms per liter;
    - (2) Two hundred micrograms per liter for acrolein and acrylonitrile; five hundred micrograms per liter for 2, 4-dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter for antimony;
    - (3) Five times the maximum concentration value reported for that pollutant in the permit application; or
    - (4) The level established by the Board.

## FACT SHEET

### General Permit for Car Wash Facilities

#### Page 5

- b. That any activity has occurred or will occur which would result in any discharge, on a nonroutine or infrequent basis, of a toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:
- (1) Five hundred micrograms per liter;
  - (2) One milligram per liter for antimony;
  - (3) Ten times the maximum concentration value reported for that pollutant in the permit application; or
  - (4) The level established by the Board.

9 VAC 25-31-200 A et seq. is required for all manufacturing commercial, mining, and silvicultural dischargers.

#### Administrative

The general permit will have a fixed term of five years. Every authorization under this general permit will expire at the same time and all authorizations will be renewed on the same date, provided a complete registration statement has been filed prior to the general permit's expiration date.

All owners/operators desiring to be covered by this general permit must register with the Department by filing a registration statement and payment of applicable fees. The registration statement shall be submitted and a notification of coverage issued prior to any discharges or other activities for which this permit is required. Car wash facilities that are discharging to surface waters on the effective date of this general permit, and which have not been issued an individual VPDES permit, may submit the registration statement.

Existing operations with individual VPDES permits that wish to seek coverage under the proposed general permit would have to file a registration statement at least 180 days prior to the expiration date of the individual VPDES permit. For all new dischargers that will begin activities after the effective date of this permit, the registration statement shall be filed at least 30 days prior to the commencement of operation of the car wash.

This general permit does not cover activities or discharges covered by an individual VPDES permit until the individual permit has expired or has been revoked. Any person conducting an activity covered by an individual permit, which could be covered by this general permit, may request that the individual permit be revoked and register for coverage under this general permit. Any owner or operator not wishing to be covered or limited by this general permit may make application for an individual VPDES permit, in accordance with VPDES procedures, stating the reasons supporting the request.

This general permit does not apply to any new or increased discharge that will result in significant effects to the receiving waters. That determination is made in accordance with the State Water Control Board's Antidegradation Policy contained in the Virginia Water Quality Standards, 9VAC 25-260-30 et seq.

This general permit will maintain the Water Quality Standards adopted by the Board.

**FACT SHEET****General Permit for Car Wash Facilities****Page 6**

All facilities that the Department believes are eligible for coverage under this general permit will be authorized to discharge under the terms and conditions of the permit after a complete registration statement is submitted, the applicable permit fee is paid, and the Department sends a copy of the general permit to the applicant. If this general permit is inappropriate, the applicant will be so notified.

Car wash facilities with point source discharges that do not qualify for coverage under this general permit may make application for an individual VPDES permit.

### **3. GENERAL PERMIT PAGES**

General Permit No.: VAG75  
Effective Date: October 16, 2007  
Expiration Date: October 15, 2012

GENERAL PERMIT FOR CAR WASH FACILITIES

AUTHORIZATION TO DISCHARGE UNDER THE  
VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM  
AND  
THE VIRGINIA STATE WATER CONTROL LAW

In compliance with the provisions of the Clean Water Act, as amended and pursuant to the State Water Control Law and regulations adopted pursuant thereto, owners of car wash facilities are authorized to discharge to surface waters within the boundaries of the Commonwealth of Virginia, except those specifically named in Board Regulations or Policies which prohibit such discharges.

The authorized discharge shall be in accordance with this cover page, Part I - Effluent Limitations and Monitoring Requirements, and Part II - Conditions Applicable to All VPDES Permits, as set forth herein.

PART I

A. Effluent Limitations and Monitoring Requirements

1. During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge wastewater originating from car wash facilities **that discharge a monthly average flow rate less than or equal to 5,000 gallons per day** from outfall(s):

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	Minimum	Maximum	Frequency	Sample Type
Flow (GPD)	NA	NL	1/Year	Estimate
pH (S.U.)	6.0*	9.0*	1/Year	Grab
TSS (mg/l)	NA	60	1/Year	5G/8HC
Oil and Grease (mg/l)	NA	15	1/Year	Grab

NL - No Limitation, monitoring requirement only

NA - Not applicable

\* Where the Water Quality Standards (9 VAC 25-260-00 et seq.) establish alternate standards for pH in waters receiving the discharge, those standards shall be the maximum and minimum effluent limitations.

5G/8HC - Eight Hour Composite - Consisting of five grab samples collected at hourly intervals until the discharge ceases, or until a minimum of five grab samples have been collected.

Samples shall be collected by June 30 of each year, and reported on the facility's Discharge Monitoring Report (DMR). DMRs shall be submitted by the 10th of July of each year.

2. There shall be no discharge of floating solids or visible foam in other than trace amounts.

PART I

**A. Effluent Limitations and Monitoring Requirements**

1. During the period beginning with the permittee's coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge wastewater originating from car wash facilities **that discharge a monthly average flow rate greater than 5,000 gallons per day** from outfall(s):

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	Minimum	Maximum	Frequency	Sample Type
Flow (GPD)	NA	NL	1/6 Months	Estimate
pH (S.U.)	6.0*	9.0*	1/6 Months	Grab
TSS (mg/l)	NA	60	1/6 Months	5G/8HC
Oil and Grease (mg/l)	NA	15	1/6 Months	Grab

NL - No Limitation, monitoring requirement only

NA - Not applicable

\* Where the Water Quality Standards (9 VAC 25-260-00 et seq.) establish alternate standards for pH in waters receiving the discharge, those standards shall be the maximum and minimum effluent limitations.

5G/8HC - Eight Hour Composite - Consisting of five grab samples collected at hourly intervals until the discharge ceases, or until a minimum of five grab samples have been collected.

Samples shall be collected by December 31 and June 30 of each year, and reported on the facility's Discharge Monitoring Report (DMR). DMRs shall be submitted by January 10<sup>th</sup> and July 10<sup>th</sup> of each year.

2. There shall be no discharge of floating solids or visible foam in other than trace amounts.

**B. Special Conditions**

1. The permittee shall perform inspections of the effluent and maintenance of the wastewater treatment facilities at least once per week and document activities on the Operational Log. This operational log shall be made available for review by the Department personnel upon request.
2. No sewage shall be discharged from a point source to surface waters from this facility except under the provisions of another VPDES permit specifically issued for that purpose.
3. There shall be no chemicals added to the water or waste which may be discharged other than those listed on the owner's accepted registration statement, unless prior approval of the chemical(s) is granted by the Board.
4. Wastewater should be reused or recycled whenever feasible.
5. The permittee shall comply with the following solids management plan:
  - a. There shall be no discharge of floating solids or visible foam in other than trace amounts.
  - b. All settling basins shall be cleaned frequently in order to achieve effective treatment.
  - c. All solids resulting from the car wash facility covered under this general permit, shall be handled, stored and disposed of so as to prevent a discharge to state waters of such solids.
6. Washing of vehicles or containers bearing residue of animal manure or toxic chemicals (fertilizers, organic chemicals, etc.) into the wastewater treatment system is prohibited. If the facility is a self-service operation, the permittee shall post this prohibition on a sign prominently located and of sufficient size to be easily read by all patrons.
7. Any permittee discharging into a municipal separate storm sewer shall notify the owner of the municipal separate storm sewer system of the existence of the discharge within 30 days of coverage under the general permit and provide the following information: the name of the facility; a contact person and phone number; and the location of the discharge.
8. The permittee shall notify the Department as soon as they know or have reason to believe:
  - a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:
    - (1) One hundred micrograms per liter;
    - (2) Two hundred micrograms per liter for acrolein and acrylonitrile; five hundred micrograms per liter for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter for antimony;
    - (3) Five times the maximum concentration value reported for that pollutant in the permit application; or
    - (4) The level established by the Board.
  - b. That any activity has occurred or will occur which would result in any discharge, on a nonroutine or infrequent basis, of a toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:
    - (1) Five hundred micrograms per liter;
    - (2) One milligram per liter for antimony;



- (3) Ten times the maximum concentration value reported for that pollutant in the permit application; or
- (4) The level established by the Board.

PART II  
CONDITIONS APPLICABLE TO ALL VPDES PERMITS

**A. Monitoring**

1. Samples and measurements taken as required by this permit shall be representative of the monitored activity
2. Monitoring shall be conducted according to procedures approved under Title 40 Code of Federal Regulations Part 136 or alternative methods approved by the U.S. Environmental Protection Agency, unless other procedures have been specified in this permit.
3. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals that will insure accuracy of measurements.

**B. Records.**

1. Records of monitoring information shall include:
  - a. The date, exact place, and time of sampling or measurements;
  - b. The individual(s) who performed the sampling or measurements;
  - c. The date(s) and time(s) analyses were performed;
  - d. The individual(s) who performed the analyses;
  - e. The analytical techniques or methods used; and
  - f. The results of such analyses.
2. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years, the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the registration statement for this permit, for a period of at least 3 years from the date of the sample, measurement, report or request for coverage. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the permittee, or as requested by the Board.

**C. Reporting Monitoring Results.**

1. The permittee shall submit the results of the monitoring required by this permit not later than the 10th day of the month after monitoring takes place, unless another reporting schedule is specified elsewhere in this permit. Monitoring results shall be submitted to the Department's regional office.
2. Monitoring results shall be reported on a Discharge Monitoring Report (DMR) or on forms provided, approved or specified by the Department.
3. If the permittee monitors any pollutant specifically addressed by this permit more frequently than required by this permit using test procedures approved under Title 40 of the Code of Federal Regulations Part 136 or using other test procedures approved by the U.S. Environmental Protection Agency or using procedures specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or reporting form specified by the Department.

4. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.

**D. Duty to Provide Information.**

The permittee shall furnish to the Department, within a reasonable time, any information which the Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The Board may require the permittee to furnish, upon request, such plans, specifications, and other pertinent information as may be necessary to determine the effect of the wastes from his discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of the State Water Control Law. The permittee shall also furnish to the Department upon request, copies of records required to be kept by this permit.

**E. Compliance Schedule Reports.**

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

**F. Unauthorized Discharges.**

Except in compliance with this permit, or another permit issued by the Board, it shall be unlawful for any person to:

1. Discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances; or
2. Otherwise alter the physical, chemical or biological properties of such state waters and make them detrimental to the public health, or to animal or aquatic life, or to the use of such waters for domestic or industrial consumption, or for recreation, or for other uses.

**G. Reports of Unauthorized Discharges.**

Any permittee who discharges or causes or allows a discharge of sewage, industrial waste, other wastes or any noxious or deleterious substance into or upon state waters in violation of Part II F; or who discharges or causes or allows a discharge that may reasonably be expected to enter state waters in violation of Part II F, shall notify the Department of the discharge immediately upon discovery of the discharge, but in no case later than 24 hours after said discovery. A written report of the unauthorized discharge shall be submitted to the Department, within five days of discovery of the discharge. The written report shall contain:

1. A description of the nature and location of the discharge;
2. The cause of the discharge;
3. The date on which the discharge occurred;
4. The length of time that the discharge continued;
5. The volume of the discharge;
6. If the discharge is continuing, how long it is expected to continue;
7. If the discharge is continuing, what the expected total volume of the discharge will be; and
8. Any steps planned or taken to reduce, eliminate and prevent a recurrence of the present discharge or any future discharges not authorized by this permit.

Discharges reportable to the Department under the immediate reporting requirements of other regulations are exempted from this requirement.

#### **H. Reports of Unusual or Extraordinary Discharges.**

If any unusual or extraordinary discharge including a bypass or upset should occur from a treatment works and the discharge enters or could be expected to enter state waters, the permittee shall promptly notify, in no case later than 24 hours, the Department by telephone after the discovery of the discharge. This notification shall provide all available details of the incident, including any adverse affects on aquatic life and the known number of fish killed. The permittee shall reduce the report to writing and shall submit it to the Department within five days of discovery of the discharge in accordance with Part II I 2. Unusual and extraordinary discharges include but are not limited to any discharge resulting from:

1. Unusual spillage of materials resulting directly or indirectly from processing operations;
2. Breakdown of processing or accessory equipment;
3. Failure or taking out of service some or all of the treatment works; and
4. Flooding or other acts of nature.

#### **I. Reports of Noncompliance.**

The permittee shall report any noncompliance, which may adversely affect state waters or may endanger public health.

1. An oral report shall be provided within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information which shall be reported within 24 hours under this paragraph:
  - a. Any unanticipated bypass; and
  - b. Any upset which causes a discharge to surface waters.
2. A written report shall be submitted within 5 days and shall contain:
  - a. A description of the noncompliance and its cause;
  - b. The period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and
  - c. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

The Board may waive the written report on a case-by-case basis for reports of noncompliance under Part II I if the oral report has been received within 24 hours and no adverse impact on state waters has been reported.

3. The permittee shall report all instances of noncompliance not reported under Parts II I 1 or 2, in writing, at the time the next monitoring reports are submitted. The reports shall contain the information listed in Part II I 2.

**NOTE: The immediate (within 24 hours) reports required in Parts II G, H and I may be made to the Department's Regional Office. Reports may be made by telephone or by fax. For reports outside normal working hours, leave a message and this shall fulfill the immediate reporting requirement. For emergencies, the Virginia Department of Emergency Management maintains a 24 hour telephone service at 1-800-468-8892.**

#### **J. Notice of Planned Changes.**

1. The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:
  - a. The permittee plans alteration or addition to any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced:
    - (1) After promulgation of standards of performance under Section 306 of Clean Water Act which are applicable to such source; or
    - (2) After proposal of standards of performance in accordance with Section 306 of Clean Water Act which are applicable to such source, but only if the standards are promulgated in accordance with Section 306 within 120 days of their proposal;
  - b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations nor to notification requirements specified elsewhere in this permit; or
  - c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
2. The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

**K. Signatory Requirements.**

1. Registration Statement. All registration statements shall be signed as follows:
  - a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
  - b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
  - d. For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a public agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.
2. Reports, etc. All reports required by permits, and other information requested by the Board shall be signed by a person described in Part II K 1, or by a duly authorized representative of that person. A person is a duly authorized representative only if:
  - a. The authorization is made in writing by a person described in Part II K 1;

- b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.); and
  - c. The written authorization is submitted to the Department.
- 3. Changes to authorization. If an authorization under Part II K 2 is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part II K 2 shall be submitted to the Department prior to or together with any reports, or information to be signed by an authorized representative.
- 4. Certification. Any person signing a document under Parts II K 1 or 2 shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

**L. Duty to Comply.**

The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the State Water Control Law and the Clean Water Act, except that noncompliance with certain provisions of this permit may constitute a violation of the State Water Control Law but not the Clean Water Act. Permit noncompliance is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the Clean Water Act within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if this permit has not yet been modified to incorporate the requirement.

**M. Duty to Reapply.**

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee shall submit a new registration statement at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the Board. The Board shall not grant permission for registration statements to be submitted later than the expiration date of the existing permit.

**N. Effect of a Permit.**

This permit does not convey any property rights in either real or personal property or any exclusive privileges, nor does it authorize any injury to private property or invasion of personal rights, or any infringement of federal, state or local law or regulations.

**O. State Law.**

Nothing in this permit shall be construed to preclude the institution of any legal action under, or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any other state law or regulation or under authority preserved by Section 510 of the Clean Water Act. Except as provided in permit conditions on "bypassing" (Part II U), and "upset" (Part II V) nothing in this permit shall be construed to relieve the permittee from civil and criminal penalties for noncompliance.

**P. Oil and Hazardous Substance Liability.**

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Sections 62.1-44.34:14 through 62.1-44.34:23 of the State Water Control Law.

**Q. Proper Operation and Maintenance.**

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes effective plant performance, adequate funding, adequate staffing, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

**R. Disposal of solids or sludge.**

Solids, sludge or other pollutants removed in the course of treatment or management of pollutants shall be disposed of in a manner so as to prevent any pollutant from such materials from entering state waters.

**S. Duty to Mitigate.**

The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

**T. Need to Halt or Reduce Activity not a Defense.**

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

**U. Bypass.**

1. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Parts II U 2 and U 3.
2. Notice
  - a. Anticipated bypass. If the permittee knows in advance of the need for a bypass, prior notice shall be submitted, if possible at least ten days before the date of the bypass.
  - b. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Part II I.
3. Prohibition of bypass.

- a. Bypass is prohibited, and the Board may take enforcement action against a permittee for bypass, unless:
  - (1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
  - (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
  - (3) The permittee submitted notices as required under Part II U 2.
- b. The Board may approve an anticipated bypass, after considering its adverse effects, if the Board determines that it will meet the three conditions listed above in Part II U 3 a.

## **V. Upset.**

1. An upset constitutes an affirmative defense to an action brought for noncompliance with technology based permit effluent limitations if the requirements of Part II V 2 are met. A determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is not a final administrative action subject to judicial review.
2. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
  - a. An upset occurred and that the permittee can identify the cause(s) of the upset;
  - b. The permitted facility was at the time being properly operated;
  - c. The permittee submitted notice of the upset as required in Part II I; and
  - d. The permittee complied with any remedial measures required under Part II S.
3. In any enforcement preceding the permittee seeking to establish the occurrence of an upset has the burden of proof.

## **W. Inspection and Entry.**

The permittee shall allow the Director, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act and the State Water Control Law, any substances or parameters at any location.

For purposes of this section, the time for inspection shall be deemed reasonable during regular business hours, and whenever the facility is discharging. Nothing contained herein shall make an inspection unreasonable during an emergency.

## **X. Permit Actions.**



Permits may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

**Y. Transfer of permits.**

1. Permits are not transferable to any person except after notice to the Department. Except as provided in Part II Y 2, a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued, or a minor modification made, to identify the new permittee and incorporate such other requirements as may be necessary under the State Water Control Law and the Clean Water Act.
2. As an alternative to transfers under Part II Y 1, this permit may be automatically transferred to a new permittee if:
  - a. The current permittee notifies the Department at least 30 days in advance of the proposed transfer of the title to the facility or property;
  - b. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and
  - c. The Board does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in Part II Y 2 b.

**Z. Severability.**

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

#### **4. REGISTRATION STATEMENT AND INSTRUCTION**

VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM  
GENERAL PERMIT REGISTRATION STATEMENT  
FOR CAR WASH FACILITIES

1. APPLICANT INFORMATION: \_\_\_\_\_

A. Name of Facility: \_\_\_\_\_

B. Facility Owner: \_\_\_\_\_

C. Owner's Mailing Address

1. Street or P.O. Box \_\_\_\_\_

2. City or Town \_\_\_\_\_ 3. State \_\_\_\_\_ 4. Zip Code \_\_\_\_\_

5. Phone Number \_\_\_\_\_

D. Facility Location: \_\_\_\_\_  
Street No., Route No., or Other Identifier

E. Is the operator of the facility also the owner? \_\_\_\_ Yes \_\_\_\_ No  
If No, complete F. & G.

F. Name of Operator: \_\_\_\_\_

G. Operator's Mailing Address

1. Street or P.O. Box \_\_\_\_\_

2. City or Town \_\_\_\_\_ 3. State \_\_\_\_\_ 4. Zip Code \_\_\_\_\_

5. Phone Number \_\_\_\_\_

2. FACILITY INFORMATION:

Will this facility discharge to surface waters? \_\_\_\_ Yes \_\_\_\_ No If yes, name of receiving stream  
\_\_\_\_\_

Does this facility currently have an existing VPDES Permit?  
\_\_\_\_ Yes \_\_\_\_ No If yes, what is the Permit No. \_\_\_\_\_

3. MAP:

Attach a topographic map extending to at least one mile beyond property boundary; indicate location of facility, the discharge and the name of topographic quadrangle.

4. NATURE OF BUSINESS: (provide a brief description of the type of car wash and type of vehicles washed)

\_\_\_\_\_

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5. NUMBER OF CAR WASH BAYS: \_\_\_\_\_

6. AVERAGE FLOW RATE: (The highest average monthly flow rate measured or estimated to be discharged. For existing facilities calculate the average flow rate by adding the flows for each day during the month that the car wash had a discharge divided by the number of days that the car wash discharged. For new facilities estimate the flow rate based on similar car wash facilities.)  
\_\_\_\_\_ Gallons per day

7. FACILITY DRAWING AND TREATMENT INFORMATION:

Attach a line drawing of the car wash showing the source of the water and its flow through the facility. Show all bays. Provide dimensions or capacities for each unit in the treatment system.

8. CHEMICALS USED:

List any chemicals added to the water that may be discharged.

\_\_\_\_\_  
\_\_\_\_\_

9. CERTIFICATION:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of person signing above: \_\_\_\_\_  
(Printed or typed)

Title: \_\_\_\_\_

REQUIRED ATTACHMENTS:

Facility Drawing  
Topographic Map

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For Department use only:

Accepted/Not Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_

Basin \_\_\_\_\_ Stream Class \_\_\_\_\_ Section \_\_\_\_\_

Special Standards \_\_\_\_\_

**INSTRUCTIONS FOR COMPLETING THE REGISTRATION STATEMENT  
FOR  
THE GENERAL VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM (VPDES)  
PERMIT  
FOR CAR WASH FACILITIES (VAG75)**

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**WHO MUST FILE THE REGISTRATION STATEMENT**

This registration statement must be completed and submitted by any car wash facilities requesting coverage under this general permit.

**WHERE TO FILE THE REGISTRATION STATEMENT**

The completed registration statement and appropriate application fee should be sent to the Department of Environmental Quality Regional Office for your area.

**COMPLETENESS**

Complete all items except where indicated, or enter NA for "not applicable" in order for your registration statement to be accepted. If you need more space than the form allows, write on and attach extra sheets of paper.

**DEFINITIONS**

SIC Codes mean the "Standard Industrial Classification" codes listed in the Federal Office of Management and Budget (OMB) SIC Manual, 1987 and used as identifiers of industries with certain characteristics.

Car Wash, for the purposes of this form means any manual, automatic or self service facility where the washing of vehicles is conducted as designated by SIC 7542. It does not mean facilities that wash or steam clean engines, buses, horse/cattle trailers, tankers or tractor-trailers. Also, it does not include mobile car washes or charity carwashes.

Wastewater is water that results from the washing of vehicles.

**LINE BY LINE INSTRUCTIONS**

**Item 1. APPLICANT INFORMATION**

- Item A: Provide the name of the car wash facility here.
- Item B: Provide the name of the person or corporation that owns the business. This does not have to be the owner of the building (e.g. if it is leased) but should be one who is responsible for the business and who wants coverage under the general permit.
- Item C: Provide the mailing address and phone number of the above person.
- Item D: Indicate here the physical location of the facility if it can't be located from the mailing address.
- Item E: If someone other than the owner listed in item B operates the car wash facility and is the person with whom business will be conducted, check **No**. Otherwise check **Yes**.
- Item F: If **No** was checked above, indicate the name of the person other than the owner who operates the facility.
- Item G: Provide the address and phone number of the person other than the owner here.

**Item 2. FACILITY INFORMATION**

Check **YES** if the wastewater discharge will be to surface waters and give the name of the receiving waters or municipal storm sewer owner. Otherwise check **No**.

Check **YES** if this facility has previously been issued a VPDES permit, and list the VPDES Permit No(s).

**Item 3. MAP**

The map should be legible and of sufficient scale to show the required features with the site boundaries clearly marked. Copies of U.S. Geographical Survey 7.5 minute quadrangle maps are recommended.

**Item 4. NATURE OF BUSINESS**

Provide a brief description of the type of car wash (manual, automatic or self service) and the type of vehicles (cars, fleet, or heavy equipment).

**Item 5. NUMBER OF CAR WASH BAYS**

Provide the number of bays/areas used for washing.

**Item 6. AVERAGE FLOW RATE**

Provide the amount of gallons per day of wastewater discharged by averaging a year of monthly flow rates. Proposed facilities should use similar existing facilities to estimate the flow rate.

**Item 7. FACILITY DRAWING AND TREATMENT INFORMATION**

The line drawing should show the source(s) of the water and the water's flow through all the bays/areas. List the dimensions or capacities for each unit in the treatment system (traps, settling basins and oil water separators).

**Item 8. CHEMICALS USED**

List any chemicals (such as soaps, waxes, etc) added to the water that may be discharged. Soaps containing phosphates are prohibited in Virginia.

**Item 9: CERTIFICATION**

All registration statement shall be signed as follows:

1. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
2. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
3. For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a public agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

## **5. EXAMPLE TRANSMITTAL LETTERS**

**Letter Transmitting Car Wash Facilities General Permit Registration Statement and Providing Notice of Cancellation of Consent Special Order**

**Regional Letterhead**

Facility Name  
Address

ATTN: John Contact

RE: Registration for the General VPDES Permit for Car Wash Facilities and Cancellation of Consent Special Order issued to [Name of Car Wash Facilities and date of consent order]

Dear Mr. Contact:

General VPDES permit VAG75 for Car Wash Facilities was adopted by the State Water Control Board at its March 15, 2006 meeting and is effective as of October 16, 2007. This general permit provides VPDES permit coverage to discharges from all qualified car wash facilities that submit a registration statement and are approved for coverage.

Car wash facilities currently discharging under authority of a Consent Special Order (Order) issued by the Board must complete and submit the enclosed registration statement in order to be covered under this general permit and to satisfy the requirements of the Order.

The Department of Environmental Quality staff will request that the Board approve cancellation of the Order at its next scheduled meeting [*or specify a future meeting date*]. By its terms, the Order can be canceled by the Board upon thirty (30) days written notice. This letter constitutes that notice.

Once the Order is canceled, discharges will not be authorized unless permitted, so please complete and return the enclosed registration form within 30 days. The requirements of the general permit will supersede those of the consent order, if general permit coverage begins prior to cancellation of the consent order. Instructions for completing the registration form are included in this package. The application fee for this general permit is \$600.00, and should be submitted in accordance with the permit fee form instructions.

If you have any questions, please do not hesitate to contact us.

Sincerely,

Regional WPM Name  
Water Permit Manager

cc: Office of Enforcement, Regional Enforcement Representative



**Transmittal Letter**  
**Car Wash Facilities General Permit**

**Regional Letterhead**

Facility Name  
Address

ATTN: John Contact

RE: Coverage under the General VPDES Permit for Car Wash Facilities VAG75\_\_\_\_\_

Dear Permittee:

We have reviewed your Registration Statement received on \_\_\_\_\_, and determined that this car wash activity is hereby covered under the referenced general VPDES permit. The effective date of your coverage under this general permit is the date of this letter. The enclosed copy of the general permit contains the applicable effluent limitations, monitoring requirements and other conditions of coverage.

In accordance with the permit you are required to submit discharge monitoring reports (DMR) to:

**Regional Office Address**

The reporting form[s] is [are] included with the permit. You will be responsible for obtaining additional copies of the reporting form. A DMR is to be completed for each permitted outfall. [The sampling and reporting are on a semi-annual basis with the DMRs due on the tenth of January and July.] The sampling and reporting are on an annual basis with the DMRs due on the tenth of July.

The general permit will expire on October 15, 2012. The conditions of the permit require that you submit a new registration statement no later than 180 days prior to that date if you wish continued coverage under the general permit.

If you have any questions, please do not hesitate to contact us.

Sincerely,

Regional WPM Name  
Water Permit Manager